



Town of Groton, Connecticut

Meeting Agenda

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager (860)441-6630

Representative Town Meeting

Moderator Natalie B. Billing, Representatives Karin Adams, Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Alicia Bauer, Nancy E. Beckwith, Laurie Kim Briggs, Genevieve Cerf, Michael Collins, Warren T. Cooper, Nancy S. Driscoll, Syma Ebbin, June Evered, Peter Fairbank, Jonathon Foisy, Irene B. Garagliano, Robert Garcia, Patrice Granatosky, Dolores Harrell, Wendy L. Hellekson, Lynn Crockett Hubbard, James Loughlin, Lisa M. Luck, Jackie Massett, Carole McCarthy, Richard Metayer, Betsy Moukawsher, Scott Newsome, Deborah Peruzzotti, Kevin Power, Betty A. Prochaska, Don Pratt, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Joan Steinfeld, Irma Streeter, Mark Svencer, Cheryl Tilney and Robert A. Warn

Wednesday, August 19, 2009

7:30 PM

Senior Center

Regular Meeting

- A. ROLL CALL
- B. MOMENT OF SILENCE AND SALUTE TO THE FLAG
- C. APPROVAL OF MINUTES OF July 15, 2009
- D. CITIZENS' PETITIONS

This is the portion of the RTM agenda where the RTM welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be limited to matters pertinent to Groton. The Moderator, or members through the Moderator, shall ask questions only in order to clarify the speaker's presentation. Responses may be given by the Moderator and/or by the Town Manager. Citizens should make their presentations from the lectern and state their names and addresses for the record.

- E. RECEPTION OF COMMUNICATIONS
- F. REPORT OF THE TOWN MANAGER:

- 1. Financial report
- 2. Monthly briefing

- G. LIAISON REPORTS

- H. COMMITTEE REPORTS

- 1. FINANCE

- a. Chairman's notes on the business of the Town - Chairman Granatosky

- 2. COMMUNITY DEVELOPMENT & SERVICES

- a. Chairman's notes on the business of the Town - Chairman Peruzzotti

- 3. EDUCATION

- a. Chairman's notes on the business of the Town - Chairman Fairbank

- 4. RECREATION

a. Chairman's notes on the business of the Town - Chairman Power**5. PUBLIC SAFETY****a. Chairman's notes on the business of the Town - Chairman Pratt****6. PUBLIC WORKS****a. Chairman's notes on the business of the Town - Chairman Collins****2009-0178 Adoption of Ordinance on Thames Street Rehabilitation Project**

ADOPTION OF AN ORDINANCE APPROPRIATING \$10,725,000 FOR THAMES STREET REHABILITATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) is appropriated for design and reconstruction of Thames Street and intersections of adjoining streets from Bridge Street to Eastern Point Road and Smith Street. The project shall include clearing and excavation; reconstruction of existing pavement and base materials; installation or reconstruction of curbing, sidewalks, guardrails, handicap ramps and crosswalks; rebuilding, construction of, and repairs to retaining walls; reconstruction of storm drainage systems; relocation or reconstruction of other necessary utilities; traffic signal upgrades; installation of decorative street lighting and other streetscape improvements; and landscaping and related improvements. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, site improvements, easement acquisition, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes, in an amount not to exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be

certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 8. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM (rule 6.5.3)

Legislative History

7/8/2009	Mayor	Referred	Town Council Committee of the W
7/14/2009	Town Council Committee of the Whole	Discussed	

A public hearing was held at the last Town Council meeting. The Town Manager distributed a packet of information regarding "Responsible Employer Policy" that was referenced by Mr. Nahornick at the public hearing. Mayor Watson asked Councilors to read the information and request a referral, if desired. Staff is still waiting for the CGS 8-24 referral responses from the Town Planning Commission and the City Planning and Zoning Commission. The groups have 30 days to respond to the referral. By next Tuesday, that time period will have elapsed and the Town Manager recommended a special meeting of the Committee of the Whole on July 21st to address this issue.

Councilor Flax asked what will happen if the referendum fails and if the project costs could be reduced. Mayor Watson explained that if the referendum fails, the Town may consider splitting the question at another referendum in the future. Town Manager Oefinger stated that if people agree that the project needs to be done, the scope of the project is reasonable. There are not a lot of "niceties" included with the plan. Discussion followed on options and alternatives.

7/21/2009	Town Council Committee of the Whole	Discussed
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The Town Manager noted that the Town is in receipt of an affirmative CGS 8-24 referral response from the Town Planning Commission. The City Council has also received an affirmative CGS 8-24 from the City Planning and Zoning Commission and Barbara Goodrich will provide the same affirmative CGS 8-24 response to the Town Council. The Town Manager has spoken with Ted See, the bond attorney, and he is satisfied with the procedure that the Town is following.

7/21/2009	Town Council Committee of the Whole	Recommended for a Resolution	
7/21/2009	Town Council	Adopted and referred under Rule 6.5.3	Representative Town Meeting
7/22/2009	Representative Town Meeting	Referred under Rule 6.5.3	RTM Public Works Committee
8/5/2009	RTM Public Works Committee	Recommended for Approval (RTM Ctee)	

7. RULES & PROCEDURES

a. Chairman's notes on the business of the Town - Chairman Evered

2009-0180 Method of RTM Adjournment

METHOD OF RTM ADJOURNMENT

Legislative History

7/15/2009 Representative Town Meeting Referred RTM Rules & Procedures Commi
Rep. Cerf requested a referral to the RTM Rules and Procedures Committee to discuss how the RTM handles a motion to adjourn at the end of the meeting. She stated often a representative blurts out the motion to adjourn when "Other Business" is announced by the Moderator, thus ending the opportunity for any representative to speak or bring up new business. She feels that the Moderator should maintain control under "Other Business" and specifically request a motion to adjourn after any "Other Business" has been addressed.

7/30/2009 RTM Rules & Procedures Committee Discussed

2009-0181 RTM Time Limits for Speakers

RTM TIME LIMITS FOR SPEAKERS

Legislative History

7/15/2009 Representative Town Meeting Referred RTM Rules & Procedures Commi
Rep. Cerf requested a referral to the RTM Rules and Procedures Committee to review limitations on how long a representative may speak and noted that individuals should not be interrupted when speaking unless it is specified in the rules.
She requested specific clarification in writing from the committee.

The Town Clerk clarified that she interrupted the speaker this evening specifically because discussion was taking place on an item not on the agenda. She stated that a speaker may request a referral and provide a brief statement of the reasons for the referral, but that no discussion should take place. She noted that discussion of an item not on the agenda would be a Freedom of Information infraction.

7/30/2009 RTM Rules & Procedures Committee Discussed

I. OTHER BUSINESS

2009-0190 Preliminary RTM Budget Discussion

PRELIMINARY BUDGET DISCUSSION FOR RTM'S FY2011 BUDGET PROCESS

J. ADJOURNMENT